UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,010	07/11/2001	Bruce K. Martin JR.	3399P042	1786

			EXAMINER
26529	7590	07/28/2005	ABRISHAMKAR, KAVEH

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ART UNIT	PAPER NUMBER
2131	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	**Applicant(s)**
	09/904,010	MARTIN ET AL.
Office Action Summary	**Examiner**	**Art Unit**	
	Kaveh Abrishamkar	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 May 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-55* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to the amendment filed on May 16, 2005. Claims 1-55

were originally received for consideration. No claims were amended, canceled, or

added. Claims 1-55 are currently pending.

Response to Arguments

2.   Applicant's arguments filed May 16, 2005 have been fully considered but they are

not persuasive for the following reasons:

Regarding claim 1, the applicant argues that the CPA, McConnell et al. (WO 00/46963),

does not teach "provisioning." This argument is not found persuasive. The CPA

discloses that the WAP client is authenticated, and information gathered from this

authentication can be used within another gateway (second provisioning system) to

control the services which a user is authorized to access (page 19: lines 13-22).

Provisioning is defined as providing users with "the process of providing users with

access to data and technology resources" as defined by www.webopedia.com. Using

this well-known definition of provisioning, the CPA does teach provisioning a device, as

it provides information that is used by a gateway to determine if a user is allowed to

access certain services. The LDAP interface (first provisioning system) uses

information it retrieves from a subscriber information repository to authenticate a WAP

client, which may then be used in gateway 1 (second provisioning system) to control the

services which a user is authorized to access. Furthermore, the applicant argues that

the CPA does not teach or suggest "the ability of a mobile device to distinguish between

a message from a primary TPD and a message from a secondary TPD." The examiner

does not see a limitation which states that a mobile device has the ability to distinguish

between a message from a primary TPD and a message from a secondary TPD.

Therefore, it is believed that the CPA teaches, "provisioning" and "using the first

provisioning system to authorize a second provisioning system." Therefore, the

rejection for the claims 1-55 is respectfully maintained as given below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-4, 7, 15-17, 27-29, 39-41, 44, 45, 48, 49, 52, and 53 is rejected under

35 U.S.C. 102(e) as being anticipated by McConnell et al. (WO 00/46963).

5. With respect to claims 1 and 39, McConnell et al. disclose a method comprising:

Operating a first provisioning system authorized to provision a processing device

on a network (page 13, lines 11-24), wherein the provisioning system is within a trusted

environnent (Figure 1); and

Using the first provisioning system to authorize a second provisioning system

outside the trusted environment (Figure 1) to provision the processing device (page 19,

lines 13-25).

4.   With respect to claim 2, McConnell et al. disclose the method, wherein said using

the first provisioning system to authorize a second provisioning system comprises using

the first provisioning system to provision authorization of the second provisioning

system in the processing device (page 19, lines 13-25).

5. With respect to claim 3, McConnell et al. disclose the method, wherein said using first

provisioning system to authorize a second provisioning system comprises using the first

provisioning system to send a provisioning message to the processing device, the

provisioning message indicating authorization of the second provisioning system to

provision the processing device (page 19, lines 13-25).

6. With respect to claim 4, McConnell et al. disclose the method wherein the

provisioning message further specifies one or more parameters which the second

provisioning system is authorized to provision (page 19, lines 17-18).

7. With respect to claim 7, McConnell et al. disclose that the processing device is a

mobile device on a wireless network (page 8, lines 10-16).

8. With respect to claim 15, McConnell et al. disclose a method comprising:

Operating a primary trusted provisioning domain (TPD) (Figure 1); and

Using the primary TPD to provision a mobile device on a wireless network (page

8, lines 10-16) by sending a provisioning message to the mobile device (page 19, lines

13-25), the provisioning message specifying a secondary TPD authorized to provision

the mobile device (page 19, lines 13-25), and an identifier of one or more parameters

which the secondary TPD is authorized to provision (page 19, lines 17-18).

9. With respect to claim 27, McConnell et al. disclose a provisioning system

comprising:

A processor (page 11, lines 22-24);

A data communications device coupled to the processor to communicate data

with one or more remote systems (page 8, lines 24-26); and

A memory (page 8, line 22) coupled to the processor and storing instructions for

execution by the processor to cause the provisioning system to provision a mobile

device on a wireless network (page 8, lines 10-16) by sending a provisioning message

to the mobile device (page 19, lines 13-25), the provisioning message specifying a

second provisioning system authorized to provision the mobile device (page 19, lines

13-25) and an identifier of one or more parameters which the second provisioning

system is authorized to provision (page 19, lines 17-18).

10. With respect to claim 40, McConnell et al. disclose a method of operating a mobile device on a wireless network, the method comprising:

Receiving a provisioning message from a first trusted provisioning domain (TPD), the provisioning message specifying a second TPD and indicating a parameter which the second TPD is authorized to provision in the mobile device (page 19, lines 24 - 27);

Storing information identifying the second TPD and the parameter in response to the provisioning message (page 20, lines 2-3); and

Provisioning the parameter in the mobile device in response to a provisioning message from the second TPD (page 20, lines 2-3).

1`. With respect to claim 44, McConnell et al. disclose a method of operating a mobile device on a wireless network, the method comprising:

Receiving a provisioning message from a remote source, the provisioning message specifying a parameter (page 19, lines 24-27);

Determining whether the remote source is a primary trusted provisioning domain (TPD) (page 20, lines 5-24);

If the remote source is the primary TPD, provisioning the parameter in the mobile device in response to the provisioning message (page 20, lines 5-24);

If the remote source is not the primary TPD, determining whether the remote source is a secondary TPD authorized to provision the parameter, based on a

provisioning authorization previously received by the mobile device from the primary

TPD (page 20, lines 5-24); and

    If the remote source is a secondary TPD authorized to provision the parameter,

provisioning the parameter in the mobile device in response to the provisioning

message (page 20, lines 5-24).

12. With respect to claim 48, McConnell et al. disclose a mobile device configured to

operate on a wireless network, the mobile device comprising'.

    A processor (page 8, lines 10-16: It is inherent in mobile devices to have a

processor);

    A data communication device coupled to the processor to communicate data with

one or more remote systems vla the wireless network (page 19, lines 1-2)., and

    A memory coupled to the processor and storing instructions for execution by the

processor to configure the mobile device to execute a process comprising:

    Receiving a provisioning message from a first trusted provisioning domain

(TPD) via the wireless network, the provisioning message specifying a second TPD and

indicating a parameter which the second TPD is authorized to provision in the mobile

device (page 19, lines 24-27);

    Storing information identifying the second TPD and the parameter in response to

the provisioning message (page 20, lines 2-3),. and

    Provisioning the parameter in the mobile device in response to a provisioning

message from the second TPD (page 20, lines 2-3).

13. With respect to claim 52, McConnell et al. disclose a mobile device configured to operate on a wireless network, the mobile device comprising:

A processor (page 8, lines 10-16: It is inherent in mobile devices to have a processor;

A data communication device coupled to the processor to communicate data with one or more remote systems via the wireless network (page 19, lines 1-2); and

A memory coupled to the processor and storing instructions for execution by the processor to configure the mobile device to execute a process comprising:

Receiving a provisioning message from a remote source, the provisioning message specifying a parameter (page 19, lines 24-27);

Determining whether the remote source is a primary trusted provisioning domain (TPD) (page 20, lines 5-24);

If the remote source is the primary TPD, provisioning the parameter in the mobile device in response to the provisioning message (page 20, lines 5-24).,

If the remote source is not the primary TPD, determining whether the remote source is a secondary TPD authorized to provision the parameter, based on a provisioning authorization previously received by the mobile device from the primary TPD (page 20, lines 5-24); and

If the remote source is a secondary TPD authorized to provision the parameter, provisioning the parameter in the mobile device in response to the provisioning message (page 20, lines 5-24).

14. With respect to claims 16, 28, 41, 45, 49, and 53, McConnell et al. disclose the

method wherein the primary TPD is within a trusted environment (Figure 1), and

wherein the secondary TPD is outside the trusted environment (Figure 1).

15. With respect to claims 17 and 29, McConnell et al. disclose the method wherein the

secondary TPD communicates with the mobile device via a second network that is

outside the trusted environment (Figure 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

16. Claims 5, 6, 8-14, 18-26, 30-38, 42, 43, 46, 47, 50, 51, 54, and 55 are rejected

under 35 U.S.C. 103(a) as being unpatentable over McConnell et al. in view of

Ramasubramanian et al.. (U.S. Patent 6,233,577).

17. With respect to claims 5, 19, 23, 31 and 35, McConnell et al. discloses the

limitations set forth in claim 1, upon which claim 5 is dependent. McConnell et al. also

disclose using the primary provisioning server to specify one or more parameters which

the secondary provisioning server is authorized to provision in the mobile devices (page

19, lines 17-18). McConnell et al. do not disclose using the first provisioning system to

send a provisioning message to the processing device, the provisioning message

indicating authorization of a plurality of other provisioning systems, including the second

provisioning system, to provision the processing device. Ramasubramanian et al.

disclose using the first provisioning system to send a provisioning message to the

processing device, the provisioning message indicating authorization of a plurality of

other provisioning systems, including the second provisioning system, to provision the

processing device (column 4, lines 29-40).

18. It would have been obvious to one of ordinary skill in the art at the time of the

invention to combine the teachings of Ramasubramanian et al. with the teachings of

McConnell et al. in order to enable clients to access any secure web sites without

demanding additional memory and power (column 8, lines 2-5).

19. With respect to claims 6, 22, 24, 25, 34, 36, and 37, McConnell et al. disclose using

the primary provisioning server to specify one or more parameters which the secondary

provisioning server is authorized to provision in the mobile devices (page 19, lines 17-

18).

20. With respect to claim 8, McConnell et al. discloses the limitations set forth in claim

7, upon which claim 8 is dependent. McConnell et al. do not disclose using a digital

signature to provision the mobile device. Ramasubramanian et al. disclose using a

digital signature to provision the mobile device (column 4, lines 29-30).

21. It would have been obvious to one of ordinary skill in the art at the time of the

invention to combine the teachings of Ramasubramanian et al. with the method of

McConnell et al. in order to utilize the most secure use of authentication (column 4, lines

29-30).

22. With respect to claim 9, McConnell et al. do not disclose using the digital signature

to authenticate the source of the provisioning message. Ramasubramanian et al.

disclose using the digital signature to authenticate the source of the provisioning

message (column 4, lines 29-30).

23. Please refer above for the motivational benefits with regards to the application of the

teachings of Ramasubramanian et al. to the teachings of McConnell et al.

24. With respect to claim 10, McConnell et al. do not disclose using the first

provisioning system to provision the mobile device with a digital certificate identifying

the first provisioning system. Ramasubramanian et al. disclose using the first

provisioning system to provision the mobile device with a digital certificate identifying

the first provisioning system (column 7, lines 10-14).

25. Please refer above for the motivational benefits with regards to the application of the teachings of Ramasubramanian et al. to the McConnell of Smith et al.

26. With respect to claim 11, McConnell et al. do not disclose using the first provisioning system to provision the mobile device with a digital certificate identifying the second provisioning system. Ramasubramanian et al. disclose using the first provisioning system to provision the mobile device with a digital certificate identifying the second provisioning system (column 7, lines 10-14).

27. Please refer above for the motivational benefits with regards to the application of the teachings of Ramasubramanian et al. to the teachings of McConnell et al.

32. With respect to claim 12, McConnell et al. disclose a method wherein the second provisioning system is on a second network that is outside the trusted environment and separate from, but coupled to, the wireless network (Figure 1).

28. With respect to claims 13, 26, and 38, McConnell et al. do not disclose a method wherein the first provisioning system has unrestricted authorization to provision the mobile device, and the authorization of the second provisioning system to provision the mobile device is regulated from the first provisioning system. Ramasubramanian et al. disclose a method wherein the first provisioning system has unrestricted authorization to provision the mobile device, and the authorization of the second provisioning system to provision the mobile device is regulated from the first provisioning system (column 4,

lines 34-42).

29. Please refer above for the motivational benefits with regards to the application of the teachings of Ramasubramanian et al. to the teachings of McConnell et al.

30. With respect to claim 14, McConnell et al. do not disclose using the first provisioning system to provision the mobile device with digital certificates identifying a plurality of other provisioning systems. Ramasubramanian et al. disclose using the first provisioning system to provision the mobile device w1t11 digital certificates identifying a plurality of other provisioning systems (column 7, lines 10-14).

31. Please refer above for the motivational benefits with regards to the application of the teachings of Ramasubramanian et al. to the teachings of McConnell et al.

32. With respect to claims 18 and 30, McConnell et al. disclose the limitations set forth in claims 16 and 28, upon which claims 18 and 30 are dependent. McConnell et al. do not disclose using the primary TPD system to provision the mobile device with a digital certificate identifying the secondary TPD to enable the secondary TPD to provision the mobile device using a digital signature. Ramasubramanian et al. disclose using the primary TPD system to provision the mobile device with a digital certificate identifying the secondary TPD to enable the secondary TPD to provision the mobile device using a digital signature (column 7, lines 10-14; column 8, lines 1-5).

33. Please refer above for the motivational benefits with regards to the application of the
teachings of Ramasubramanian et al. to the teachings of McConnell et al.

34. With respect to claims 20 and 32, McConnell et al. disclose a method comprising:

Operating a primary provisioning server within a predefined trusted environment
(Figure 1);

A secondary provisioning server in the mobile devices, wherein the secondary
provisioning server is on a second network outside the trusted environment (Figure 1);
and

Using the primary provisioning server to provision the mobile devices with
information indicating to the mobile devices authorization of the secondary provisioning
server to provision the mobile devices (page 8, lines 10-16; page 19, lines 13-25).

35. McConnell et al. do not disclose a method comprising:

Operating a primary provisioning server having authorization to provision a
plurality of mobile devices on a wireless network;

Using the primary provisioning server to provision a digital certificate of the
primary provisioning server in each of the mobile devices;

Using the primary provisioning server to provision a digital certificate of a
secondary provisioning server in the mobile devices.

Ramasubramanian et al. disclose a method comprising:

Operating a primary provisioning server having authorization to provision a plurality of mobile devices on a wireless network (column 4, lines 29-40);

Using the primary provisioning server to provision a digital certificate of the primary provisioning server in each of the mobile devices (column 7, lines 10-14);

Using the primary provisioning server to provision a digital certificate of a secondary provisioning server in the mobile device (column 7, lines 10-14).

36. Please refer above for the motivational benefits with regards to the application of the teachings of Ramasubramanian et al. to the teachings of McConnell et al.

37. With respect to claims 21 and 33, McConnell et al. do not disclose a method wherein the primary and secondary provisioning servers each use their respective digital certificates when provisioning the mobile devices, to enable the mobile devices to authenticate provisioning messages from the primary and secondary provisioning servers.

Ramasubramanian et al. disclose a method wherein the primary and secondary provisioning servers each use their respective digital certificates when provisioning the mobile devices, to enable the mobile devices to authenticate provisioning messages from the primary and secondary provisioning servers (column 4, lines 29-30).

38. Please refer above for the motivational benefits with regards to the application of the teachings of Ramasubramanian et al. to the teachings of McConnell et al.

39. With respect to claims 42, 46, 50, and 54, McConnell et al. do not disclose a method

comprising:

Receiving a digital certificate of the second TPD from the first TPD; and

Using the digital certificate in the mobile device to authenticate the provisioning

message from the second TPD.

45. Ramasubramanian discloses a method as recited in claim 41, further comprising:

Receiving a digital certificate of the second TPD from the first TPD; and

Using the digital certificate in the mobile device to authenticate the provisioning

message from the second TPD (column 4, lines 29-30).

40. Please refer above for the motivational benefits with regards to the application of the

teachings of Ramasubramanian et al. to the teachings of McConnell et al.

41. With respect to claims 43, 47, 51, and 55, McConnell et al. disclose using the

primary provisioning server to specify one or more parameters which the secondary

provisioning server is authorized to provision in the mobile devices (page 19, lines 17-

18). McConnell et al. do not disclose a method wherein the provisioning message

specifies a plurality of secondary TPDS, the method further comprising storing

information identifying each of the secondary TPDS and the corresponding parameters

in response to the provisioning message. Ramasubramanian discloses a method

wherein the provisioning message specifies a plurality of secondary TPDS (column 4,

lines 29-40), the method further comprising storing information identifying each of the

secondary TPDS and the corresponding parameters in response to the provisioning

message (column 7, lines 10-32).

42. Please refer above for the motivational benefits with regards to the application of the

teachings of Ramasubramanian et al. to the teachings of McConnell et al.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-

272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

KA
07/21/2005

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